

Appln No.: 09/874,137  
Amdt. dated July 6, 2004  
Reply to Office action dated Feb. 5, 2004

### **REMARKS**

Claims 1, 3-6 and 9-21 are pending. The Examiner's allowance of claims 14-17 is noted with appreciation, as is the Examiner's indication that claims 2 and 8 would be allowable if rewritten as independent claims. Original claim 2 has been rewritten as independent claim 20 and original claim 8 has been rewritten as independent claim 21.

Claim 11 stands rejected under 35 U.S.C. 112, second paragraph. The Office action states that "it is unclear how the link plate contact surface can be...smaller than that of the guide plate contact surface when the diameter of pinhole of the link plate is larger than that of the guide plate." Applicants respectfully submit that as set forth in claims 11, the size of the link plate contact surface and the guide plate contact surface are defined separately from, and are not dependent on, the relative size of the plates' respective pin holes. Thus, there is no inconsistency in the claim language, and claim 11 has been amended to correct a typographical error.

Claims 12 and 13 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,989,140 to Ichikawa et al. Applicants respectfully submit that claims 12 and 13 are not anticipated by Ichikawa.

Ichikawa does not disclose or suggest the claimed silent chain and its arrangement of guide plates and link plates, guide and link plate apertures and aperture sizes. Instead, Ichikawa discloses guide plates 7 and articular train plates 2 and 2A having pin holes in the same relative positions, both respect to each other and with respect to the flat faces F and f of the plates. Indeed, as shown in Ichikawa's Figure 3, that reference recommends forming the assembled chain so that the flat faces F and

Appln No.: 09/874,137  
Amdt. dated July 6, 2004  
Reply to Office action dated Feb. 5, 2004

f are maintained at the same relative level. (See col. 4, ll. 8-14). When contacting a chain guide 8, the surfaces F and f also are maintained at the same level, as shown in Figures 4 and 5. The portion of the train plates 2 and 2a extending below the surface of the guide 8 are the subtending teeth "t" disposed on either side of the guide which include surfaces that contact and potentially cause wear to the chain guide. Thus, Ichikawa, does not disclose or suggest the chain of claims 12 and 13.

Claim 6 similarly is not disclosed or suggested by Kozakura et al. Kozakura does not disclose or suggest the use of pin hole clearances in its articular train plates that act in conjunction with Kozakura's articular train plate dimensions and guide train plate dimensions to prevent substantial abrasive contact between tooth portions of the articular plates and the guide surface.

The chain of claims 1, 4-5, 11 and 13 also are not disclosed or suggested by U.S. Patent No. 5,464,374 to Mott in view of Kozakura et al. With respect to claims 1 and 4-5, Mott does not disclose a chain having the claimed guide and link plate dimensions and link plate aperture clearances that prevent substantial contact between the guide plates and a chain guide when the chain is engage on the guide. (See Mott Fig. 3, and Col. 5, ll. 38-40 (chain provides "even distribution of forces on the inner and outer links 12 and 14")). With respect to claim 11, as illustrated in Figure 3, Mott does not suggest a chain where the edges of the guide plates make contact with a chain guide, while the link plates are spaced from the surface when the chain is engaged on a chain guide. Thus, it is respectfully submitted that there is no motivation for the

Appln No.: 09/874,137  
Amdt. dated July 6, 2004  
Reply to Office action dated Feb. 5, 2004

suggested combination of Mott and Kozakura, and, if combined, the combination of Mott and Kozakura would not result in the silent chain recited in claim 11.

With respect to claim 13, Kozakura does not disclose a chain having the guide plate pin holes and the link plate apertures relatively positioned to generally maintain the link plate contact surface in contact with the chain guide surface and the guide plate contact surface out of substantial contact with the chain guide surface when the chain is engaged on the chain guide to reduce wear on the contact surface. For the reasons discussed above, in view of the differences between Mott and Kozakura, and the differences between their disclosed claims and the chain of claim 13, it is respectfully submitted that there is no motivation to combine Mott and Kozakura, and, if combined, the combination of Mott and Kozakura would not result in the silent chain recited in claim 13.

For the reasons set forth above, Applicants respectfully submit that claims 1, 3-6, 9-17, and new Claims 18-21 are in condition for allowance. Please charge any fees required by this amendment to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: \_\_\_\_\_

  
Jon A. Birmingham  
Registration No. 51,222

Dated July 6, 2004  
FITCH, EVEN, TABIN & FLANNERY  
120 S. LaSalle St., Suite 1600  
Chicago, Illinois 60603  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007